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COMMITTEE ON HOMELAND SECURITY
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United States Senate

April 23, 2012

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The Honorable Janet Napolitano
Secretary
U.S. Department of Homeland Security
301 7th Street SW, Mail Stop 0150
Washington, DC 20528-0150

Dear Secretary Napolitano:

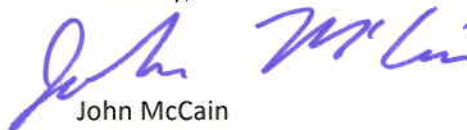
Thank you for your letter dated March 27, 2012, that responds to my comments regarding the Department's \$50 million environmental impact mitigation fund. Your explanation for these expenditures continues to trouble me.

As you're well aware, U.S. Customs and Border Protection (CBP) is charged with enhancing border security, not with financing environmental projects at the behest of the Department of the Interior. Several of the projects you identified, like \$925,000 to search for bat caves or \$411,000 to install special barriers to keep Mexican fish from crossing the border, have no bearing on the life-threatening national security crisis facing my constituents in the State of Arizona.

Even more disturbing is the Department's decision to pay for these projects through the DHS account dedicated to installing border fencing and monitoring equipment (the *Border Security, Fencing Infrastructure and Technology* program or "BSFIT"). Your letter states that the Department has the authority to pay for these environmental projects under an "earmark" in appropriations bill report language. I would remind you that legislative language carries the force of law, not vague language contained in a committee report. Considering our nation faces a \$1.4 trillion budget deficit and \$15 trillion in national debt, I'm doubtful that Congress would authorize the Department to conduct these activities.

I will be contacting the relevant House and Senate committees of appropriate jurisdiction to make them aware of the Department's misuse of taxpayer dollars.

Sincerely,



John McCain
United States Senator